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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

EDWIN L. RESO, for the use and benefit of
THE ARTISAN INTERNATIONAL FUND,
THE ARTISAN INTERNATIONAL VALUE
FUND, and THE ARTISAN MID CAP
VALUE FUND,

Plaintiff,

v.

ARTISAN PARTNERS LIMITED
PARTNERSHIP,

Defendant.

Case No. 2:11-cv-00873-JPS

**PLAINTIFF'S REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS**

Pursuant to Federal Rule of Evidence 201(b), Plaintiff Edwin L. Russo (“Plaintiff”) respectfully requests that this Court take judicial notice of each of the following documents attached as exhibits hereto. For the reasons set forth below, the Court should take judicial notice of the documents under Rule 201 and supporting case law.

1. Excerpts from true and correct copies of the California Public Employees’ Retirement System annual reports for the years 2001-2006 (“CalPERS Reports”), attached hereto as Exhibit A. The full reports are available at <http://www.calpers.ca.gov/index.jsp?bc=/investments/reports/home.xml>.

2. A true and correct copy of the Complaint filed in *Amron v. Morgan Stanley Investment Advisors Inc.*, No. 03-5896, 2003 WL 25659496 (S.D.N.Y. Aug. 6, 2003), attached hereto as Exhibit B.

3. A true and correct copy of the Complaint filed in *Yampolsky v. Morgan Stanley Investment Advisors Inc.*, No. 03-5710 (S.D.N.Y. July 31, 2003), attached hereto as Exhibit C.

4. A true and correct copy of the Second Consolidated Complaint filed in *In re Salomon Smith Barney Mut. Fund Fees Litig.*, No. 04-4055 (S.D.N.Y. Oct. 16, 2006), attached hereto as Exhibit D.

5. A true and correct copy of the Consolidated Amended Class Action Complaint filed in *Hoffman v. UBS-AG*, No. 05-6817, 2006 U.S. Dist. Ct. Pleadings LEXIS 18204 (S.D.N.Y. May 3, 2006), attached hereto as Exhibit E.

6. A true and correct copy of the First Amended Complaint filed in *Krantz v. Prudential Invs. Fund Mgmt. LLC*, No. 98-3722, (D.N.J. Dec. 11, 1998), attached hereto as Exhibit F.

7. A true and correct copy of the Second Amended Complaint filed in *Migdal v. Rowe Rice-Fleming Int’l, Inc.*, No. 98-2162 (D. Md. Feb. 16, 1999), attached hereto as Exhibit G.

8. A true and correct copy of the Consolidated Amended Class Action Complaint filed in *In re Scudder Mutual Funds Fee Litig.*, No. 04-01921 (S.D.N.Y. Dec. 20, 2005), attached hereto as Exhibit H.

9. A true and correct copy of the Second Amended Derivative Consolidated Complaint filed in *In re Franklin Mutual Funds Fee Litig.*, No. 04-982 (D.N.J. Mar. 10, 2006), attached hereto as Exhibit I.

10. A true and correct copy of the Third Derivative Consolidated Amended Complaint filed in *Boyce v. AIM Mgmt. Group, Inc.*, No. 04-2587 (S.D. Tex. Dec. 7, 2006), attached hereto as Exhibit J.

I. ARGUMENT

Under Federal Rule of Evidence 201, a court may take judicial notice of a fact “not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201. Each of the submitted exhibits meets this standard and should therefore be judicially noticed.

District courts may take judicial notice of matters of public record on a 12(b)(6) motion. *Dixon v. Ladish Co., Inc.*, 785 F. Supp. 2d 746, 756 (E.D. Wis. 2011) (citing *Anderson v. Simon*, 217 F.3d 472, 474–75 (7th Cir.2000)). The CalPERS Reports are publicly filed documents subject to judicial notice. Further, Defendant references the 2002 CalPERS Report in its Motion to Dismiss and asks this Court to take judicial notice of it. *See* Def.’s Mot. 19 n.13; Def.’s App. Ex. J. If this Court takes judicial notice of the 2002 CalPERS annual report, this Court should also take judicial notice of the 2001 to 2006 reports.

Courts may take judicial notice of publicly filed court documents. *Henson v. CSC Credit Services*, 29 F.3d 280, 284 (7th Cir. 1994). Accordingly, each of the complaints attached hereto are proper subjects of judicial notice, and their accuracy cannot reasonably be questioned.

II. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests that the Court consider the above-referenced documents in conjunction with his concurrently filed Opposition to Defendant's Motion to Dismiss.

DATED: October 19, 2011

KELLER ROHRBACK L.L.P.

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